

STATE OF TEXAS  
COUNTY OF TRAVIS

**AMENDMENT ONE  
TO THE  
AGREEMENT BETWEEN  
THE  
HEALTH AND HUMAN SERVICES COMMISSION  
AND  
TEXAS PREGNANCY CARE NETWORK  
FOR  
PROGRAM AND ADMINISTRATIVE SERVICES**

**ARTICLE 1. PURPOSE AND OBJECTIVES**

***Section 1.01 PURPOSE***

This Amendment One (“Amendment”) is entered into between The Health and Human Services Commission (“HHSC”) and Texas Pregnancy Care Network, (“CONTRACTOR” or “TPCN”), to obtain efficiently delivered support services to assist females seeking alternatives to abortion that promote safe and healthy childbirth in Texas. HHSC and CONTRACTOR may be referred to in this Agreement individually as “Party” and collectively as the “Parties.” HHSC and CONTRACTOR hereby contract and agree to modify the Original Agreement of the Parties.

The parties hereby agree to amend their Original Agreement, HHSC Contract No. 529-10-0013-00001 (“the Agreement”), subject to the following terms and conditions. The Parties agree that the modified terms and conditions will apply to the Agreement unless further modified or amended by the Parties.

***Section 1.02 AUTHORITY***

This amendment is executed pursuant to Article VI of the Original Agreement between HHSC and TPCN for Program and Administrative Services (“Agreement”).

***Section 1.03 AMENDMENT OBJECTIVES***

The Parties entered into an agreement pursuant to RFP No. 529-10-0013 and Contract No. 529-10-0013-00001 in order to obtain efficiently delivered support services to assist females seeking alternatives to abortion that promote safe and healthy childbirth in Texas. The purpose of this program is to promote childbirth rather than abortion to women who are pregnant and may or may not have made the decision to give birth. The Parties entered into an agreement with an original term of performance of September 1, 2009 to August 31, 2011, unless terminated sooner or extended pursuant to the terms and conditions of this Agreement.

The Parties desire to modify the Original Agreement to address additional modifications, extend the term of the Agreement, and incorporate the revised HHSC’s Uniform Contract Terms and Conditions, Version 1.4.1 (attached and incorporated by reference as Amendment One Exhibit A).

#### ***Section 1.04 TERM OF THE AGREEMENT***

The term of this Amendment will begin on September 1, 2011 and expire on August 31, 2013 unless terminated sooner or extended by the parties.

### **ARTICLE 2. TERMS AND CONDITIONS OF PAYMENT**

#### ***Section 2.01 TOTAL COSTS***

The total cost of the Services and Deliverables supplied by CONTRACTOR to HHSC during the term of this Amendment will not exceed a total amount of \$8,300,000.00, for State Fiscal Years 2012 and 2013. State Fiscal Years 2012 and 2013 begin on September 1, 2011 and ends on August 31, 2013. The total contract amount, including the Original Agreement and this Amendment One will not exceed \$16,300,000.00.

#### ***Section 2.02 GENERAL PAYMENT TERMS***

##### **(a) Payment Methodology**

HHSC shall pay the CONTRACTOR an amount not to exceed a total amount of \$8,300,000.00, for State Fiscal Years 2012 and 2013.

##### **(b) Payment Schedule**

State Fiscal Year 2012			
8.0	Project Admin, Outreach/Advertising& Contract Renewals	September 5, 2011	\$160,000.12
8.1	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	September 20, 2011	\$332,499.99
8.2	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	October 20, 2011	\$332,499.99
8.3	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	November 20, 2011	\$332,499.99
8.4	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	December 20, 2011	\$332,499.99
8.5	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	January 20, 2012	\$332,499.99

8.6	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	February 20, 2012	\$332,499.99
8.7	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	March 20, 2012	\$332,499.99
8.8	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	April 20, 2012	\$332,499.99
8.9	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	May 20, 2012	\$332,499.99
8.10	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	June 20, 2012	\$332,499.99
8.11	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	July 20, 2012	\$332,499.99
8.12	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	August 20, 2012	\$332,499.99
State Fiscal Year 2013			
9.0	Project Admin, Outreach/Advertising& Contract Renewals	September 5, 2012	\$160,000.12
9.1	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	September 20, 2012	\$332,499.99
9.2	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	October 20, 2012	\$332,499.99
9.3	Project Admin, Statewide Information, Outreach, Education & Referral Programs & Services and Client Services	November 20, 2012	\$332,499.99
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**(c) Payment Changes**

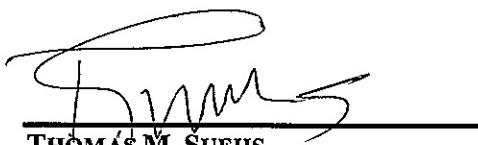
Changes to the above payment schedule will be submitted in writing and accepted without an additional change order request as long as the requested changes do not exceed \$8,300,000.00 for State Fiscal Years 2012 and 2013.

**ARTICLE 3. REPRESENTATIONS AND AGREEMENT OF THE PARTIES**

The Parties hereto contract and agree that the terms of the Original Agreement shall remain in effect and continue to govern except to the extent modified herein. By signing this Amendment One, the Parties expressly understand and agree that Amendment One is hereby made a part of the Original Agreement as though it were set out word for word therein.

The Parties hereby execute this Amendment One in their capacities as stated below with authority to bind their organization on the dates set forth below their signatures.

**HEALTH & HUMAN SERVICES COMMISSION      TEXAS PREGNANCY CARE NETWORK**



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THOMAS M. SUEHS  
EXECUTIVE COMMISSIONER

VINCENT FREIDEWALD, ESQ.  
EXECUTIVE DIRECTOR

DATE: 9/23/11

DATE: September 12, 2011

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HEALTH AND HUMAN SERVICES COMMISSION  
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**EXHIBIT A**

**UNIFORM CONTRACT TERMS AND CONDITION, VERSION 1.4.1**

HHSC Uniform Contract Terms and Conditions, Version 1.4.1 issued February 4, 2011, can be found at: [http://www.hhsc.state.tx.us/about\\_hhsc/Contracting/rfp\\_attach/General\\_TC.pdf](http://www.hhsc.state.tx.us/about_hhsc/Contracting/rfp_attach/General_TC.pdf)



**TEXAS PREGNANCY CARE NETWORK**

**Monthly Management Report Plan**

**Deliverable TPCN1-1**

**September 12, 2011**

Texas Pregnancy Care Network's (TPCN's) plan for providing regular reports to HHSC about Program activities is as follows:

1. On the 20<sup>th</sup> day of each month, TPCN will send to HHSC a Monthly Vendor Report. The Monthly Vendor Report will identify: 1) Deliverables met during the month prior to the reporting month, and a recovery plan for any Deliverables that were not met, if applicable; 2) a description of Milestones and Accomplishments achieved during the month prior to the reporting month; and 3) a description of Program activities planned for the next month.
2. Together with the Monthly Vendor Report (on the 20<sup>th</sup> day of each month), TPCN will also send to HHSC a Monthly Financial Report. The Monthly Financial Report will identify the costs incurred during the month prior to the reporting month, justified by the activities described in the accompanying Monthly Vendor Report. Costs will be reported both for the most recent month, as well as the year-to-date, in these cost categories: Project Administration; Statewide Information, Outreach, Education and Referral Programs and Services; and Client Services.
3. Reports will be submitted electronically. If the 20<sup>th</sup> day of the month occurs on a weekend or holiday, the Monthly Vendor and Financial Reports will be submitted on the next business day.
4. Templates for the Monthly Vendor and Financial Reports are attached.

Texas Pregnancy Care Network  
6101 W. Courtyard  
Bldg. 2, Suite 200  
Austin, TX 78730  
September 12, 2011

To: Charlene Meismer  
Program Manager  
Texas Health and Human Services Commission  
Office of Family Services  
909 W. 45<sup>th</sup> Street, Building 555  
MC 2010  
Austin, TX 78751

From: Vincent Friedewald III  
Executive Director  
Texas Pregnancy Care Network

Subject: Monthly Vendor and Financial Reports, September 2011  
**Part 1: Monthly Vendor Report**  
Contract Number: 529-10-0013-00001A

**Reporting Month:** September, 2011

**Deliverables met during this period:**

**Deliverables due but not met during this period, with Recovery Plan:**

**Discussion of Milestones and Accomplishments during this month:**

**Plans for the next month:**

Texas Pregnancy Care Network  
6101 W. Courtyard  
Bldg. 2, Suite 200  
Austin, TX 78730  
September 12, 2011

To: Charlene Meismer  
Program Manager  
Texas Health and Human Services Commission  
Office of Family Services  
909 W. 45<sup>th</sup> Street, Building 555  
MC 2010  
Austin, TX 78751

From: Vincent Friedewald III  
Executive Director  
Texas Pregnancy Care Network

Subject: Monthly Vendor and Financial Report, September 2011  
**Part 2: Monthly Financial Report**  
Contract Number: 529-10-0013-00001A

**Reporting Month:** September, 2011

**Costs for the month of September, 2011 and year to date are reported as follows:**

	<b>Monthly</b>	<b>Year to Date</b>
Project Administration Costs:	\$ -----	\$ -----
Statewide Information, Outreach, Education And Referral Programs and Services:	\$ -----	\$ -----
Client Services	\$ -----	\$ -----
<b>Total Costs for September and year to date</b>	<b>\$ -----</b>	<b>\$ -----</b>

Justification for this report will be found in the accompanying Monthly Vendor Report.